

PUBLIC HEARING
Town of Westfield
May 5th, 2010
(Local Law #2 / To Regulate Home Occupations)

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Jim Pacanowski
Councilmen:	Raymond Schuster	Marybelle Beigh	Steven Howes
	David Brown	Claude Abbey	Harold Nass
	James Herbert	David Babcock	Janet Nass
	David Spann	Claire Quadri	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to proposed Local Law #2 which would amend current Town Code regulation for Home Occupied businesses. She briefly highlighted the changes which would divide Home Businesses into two categories (major & minor) and limit required permitting.

There being no further questions or comments, David Brown moved and David Spann seconded the motion that the public hearing be closed at 7:26pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

**PUBLIC HEARING
Town of Westfield
May 5th, 2010
(Local Law #3 / Delete Gas Well Regulations & Regulate Accessory Building Height)**

Supervisor Bills called the public hearing to order at 7:27pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Jim Pacanowski
Councilmen:	Raymond Schuster	Marybelle Beigh	Steven Howes
	David Brown	Claude Abbey	Harold Nass
	James Herbert	David Babcock	Janet Nass
	David Spann	Claire Quadri	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to proposed Local Law #3 which would delete Gas Well regulations completely from the Town Code and increase accessory building height from 16' to 30'. Both Town Attorney Joel Seachrist and CEO Jim Pacanowski expressed support for both proposals.

There being no further questions or comments, James Herbert moved and David Spann seconded the motion that the public hearing be closed at 7:34pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

TOWN BOARD MEETING
Town of Westfield
May 5th, 2010

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:35pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Jim Pacanowski
Councilmen:	Raymond Schuster	Marybelle Beigh	Steven Howes
	David Brown	Claude Abbey	Harold Nass
	James Herbert	David Babcock	Janet Nass
	David Spann	Claire Quadri	

Raymond Schuster moved and James Herbert seconded a motion to waive the reading of the minutes inasmuch as all members received a copy thereof and that the minutes be approved. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$1626.01 representing fees for the month of April 2010 was turned over to the Supervisor. State and County agencies received checks totaling \$433.25.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>HSBC - MM Balance</u>
Gen. A	\$458,498.00	\$199,556.00	\$8740.25	\$896,006.14
Gen B	94,395.00	63,593.00	55.72	96,574.98
Hwy DA	270,692.00	126,215.00	198.62	403,439.94
Hwy DB	19,219.00	46,200.00	1037.64	250,293.13
Sewer HO1	21,697.00	18,669.00	-0-	15,058.17
Water HO2	20,500.00	13,023.00	-0-	98,838.48
Wfd. Fire	65,970.00	-0-	-0-	66,042.77
Sherm. Fire	8,609.00	-0-	-0-	8772.86
Totals:	\$959,939.00	\$467,256.00	\$10,032.23	\$1,835,026.47

The Dog Warden's report for April 2010 was received and placed on file.

The Fire Department Report for April 2010 was received and placed on file.

The Historian's report for April 2010 was received and placed on file.

The Town Court report for April 2010 was received and placed on file.

Highway:

- The Highway Superintendent submitted a written report on activities for April highlighting continued work on the East Main Road water project, the new culvert on Felton Road, and the new docks in the Barcelona harbor of the pier.

Code Enforcement:

- The Code Enforcement Officer submitted a report for April highlighting 7 permits issued in the Town, an update on the Grape Discovery Center status, and his attendance at required trainings.

Barcelona Harbor:

- The Harbor Commission met on April 22nd, 2010. Some items discussed included the possibility of vendors on the Pier, moorings for Sail Boats, and dredging.

In Public Comment, questions were raised regarding the Westfield-Ripley Wind Project. Comments for the record should be submitted to the Clerk by 5/17/2010.

Announcements:

- Supervisor Bills announced that there will be a Public Meeting for the Concord Grape Belt Heritage Area Management Plan on 5/26/10 @ 6:00pm
- She highlighted the Memorial Day Parade events on Monday 5/31/10 (starting @ 10:30am)
- She also announced the Southtowns Walleye Tournament / 12-20 June 2010 at the Pier

Old Business:

- Supervisor Bills provided a Project Update which included the Bell Creek Bridge (West Main Road) which is set to be closed for repairs beginning in June 2010, no definitive news on Route 5 road construction, the fact that a NYS CDBG grant application has been submitted by the Town for Barcelona water improvement, and the comment period on the Ripley-Westfield Wind project DEIS will end on May 17th, 2010.

New Business:

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- David Brown offered the following resolution and moved its adoption

Resolution No. 22 of 2010
 USDA Funding Application for Barcelona Water Improvement

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign the necessary paperwork to apply for USDA (Rural Development) funding for Barcelona Water System improvements.

This was seconded by David Spann. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

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- Raymond Schuster offered the following resolution and moved its adoption

Resolution No. 23 of 2010
 Purchase of Materials for Phase II of East Main Road Water Project

BE IT RESOLVED, that the Town Supervisor is authorized to purchase materials for Phase II of the East Main Road Water Project in an amount not to exceed \$25,000.

This was seconded by James Herbert. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

- David Brown offered the following resolution and moved its adoption

Resolution No. 24 of 2010
Negative Declaration
Local Law #2 Home Occupations

WHEREAS, the Town of Westfield has proposed Local Law #2 of 2010 to amend the zoning code with regard to its regulation of home occupations, and

WHEREAS, the proposed local law has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of an Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the proposed local law, and

WHEREAS, the Board has determined that the proposed local law will not have a significant environmental impact,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby issues a Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed Local Law #2 of 2010.

This was seconded by James Herbert. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

- Martha Bills offered the following resolution and moved its adoption

Resolution No. 25 of 2010
Adoption of Local Law #2 of 2010 Regulate Home Occupations

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on May 5, 2010 at 7:20pm at the North Room, Eason Hall, 23 Elm Street, Westfield, New York 14787, to hear all interested parties on a proposed Local Law to amend the zoning code with regard to its regulation of home occupations, and

WHEREAS, notice of said public hearing was duly published in the *Westfield Republican* and

WHEREAS, said public hearing was duly held on May 5, 2010 at 7:20pm at the said Eason Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, on April 20, 2010 the County Planning Department, pursuant to Section 239-m of the General Municipal Law, advised that the proposed Local Law was of local option, and

WHEREAS, the Town Board has determined that the adoption of the local law is a Type I action for purposes of the State Environmental Quality Review Act, has prepared a full Environmental Assessment Form, and has duly adopted a Negative Declaration finding that the proposed Local Law will not have significant adverse environmental impacts, and

WHEREAS, the Town Board of the Town of Westfield, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law #2 of 2010, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield, and to give due notice of the adoption of the Local Law to the Secretary of State.

This was seconded by David Spann. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

- Raymond Schuster offered the following resolution and moved its adoption

**Resolution No. 26 of 2010
Negative Declaration**

Local Law #3 to Delete Gas Well Regulations and Regulate Accessory Building Height

WHEREAS, the Town of Westfield has proposed Local Law #3 of 2010 to amend the zoning code to eliminate the regulation of natural gas wells and to increase the permitted height of accessory buildings from 16 to 30 feet in the entire town, and

WHEREAS, the proposed local law has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of an Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the proposed local law, and

WHEREAS, the Board has determined that the proposed local law will not have a significant environmental impact,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby issues a Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed Local Law #3 of 2010.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

- James Herbert offered the following resolution and moved its adoption

Resolution No. 27 of 2010

Adoption of LL #3 Delete Gas Well Regulations / Regulate Accessory Building Height

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on May 5, 2010 at 7:25pm at the North Room, Eason Hall, 23 Elm Street, Westfield, New York 14787, to hear all interested parties on a proposed Local Law to amend the zoning code with regard to the permitting of natural gas wells and the height of accessory buildings, and

WHEREAS, notice of said public hearing was duly published in the *Westfield Republican* and

WHEREAS, said public hearing was duly held on May 5, 2010 at 7:25pm at the said Eason Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, on May 4, 2010 the County Planning Department, pursuant to Section 239-m of the General Municipal Law, advised that the proposed Local Law was of local option, and

WHEREAS, the Town Board has determined that the adoption of the local law is a Type I action for purposes of the State Environmental Quality Review Act, has prepared a full Environmental Assessment Form, and has duly adopted

a Negative Declaration finding that the proposed Local Law will not have significant adverse environmental impacts, and

WHEREAS, the Town Board of the Town of Westfield, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law #3 of 2010, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield, and to give due notice of the adoption of the Local Law to the Secretary of State.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; David Spann, aye; Raymond Schuster, aye.

- David Brown moved and James Herbert seconded a motion to authorize the summer hiring of Ralph Stoia, Sam Arnold, and Caleb Dahly to work at the Pier. This was unanimously approved.

Martha Bills moved and James Herbert seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; James Herbert, aye; David Spann, aye.

The next Town Meeting is scheduled for Wednesday, June 2nd, 2010 @ 7:30pm.

There being no further business, at 9:04pm. Raymond Schuster moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk